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5 UNITED STATES DISTRICT COURT  
6 WESTERN DISTRICT OF WASHINGTON  
7 AT TACOMA

8 WILLIAM CURRY, JR.,

9 Plaintiff,

10 v.

11 ALEC J. BRIAN, et al.,

12 Defendants.

CASE NO. C13-5648 BHS-JRC

ORDER ADOPTING REPORT  
AND RECOMMENDATION

13 This matter comes before the Court on the Report and Recommendation (“R&R”)  
14 of the Honorable J. Richard Creatura, United States Magistrate Judge (Dkt. 32), and  
15 Plaintiff William Curry, Jr.’s (“Curry”) objections to the R&R (Dkt. 33).

16 On July 14, 2014, Judge Creatura issued the R&R recommending that the Court  
17 deny without prejudice Curry’s motion for default judgment because Curry has failed to  
18 adequately support his request for damages. Dkt. 32. On August 8, 2014, Curry filed  
19 objections. Dkt. 33. Despite Curry’s arguments to the contrary, he is required to submit  
20 evidence in support of his damages regardless of whether a defendant is in default.

21 Therefore, the Court having considered the R&R, Curry’s objections, and the  
22 remaining record, does hereby find and order as follows:

- 1 (1) The R&R is **ADOPTED**; and
- 2 (2) Curry's motion for default judgment is **DENIED without prejudice**

3 Dated this 3rd day of September, 2014.

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5 BENJAMIN H. SETTLE  
6 United States District Judge

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